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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,055	10/10/2001	Jacob Zimmermann	1807.1805	5039
5514	7590	12/13/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				ZHEN, LI B
		ART UNIT		PAPER NUMBER
		2194		

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/973,055	ZIMMERMANN ET AL.
	Examiner Li B. Zhen	Art Unit 2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 October 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4,6,7,9-12,14,15,17-25,27,28 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4,6,7,9-12,14,15,17-25,27,28 and 31-33 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received

WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/11/2006.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1 – 4, 6, 7, 9 – 12, 14, 15, 17 – 25, 27, 28 and 31 – 33 are pending in the application.

***Response to Arguments***

2. Applicant's arguments filed 10/04/2006 have been fully considered but they are not persuasive. In response to the Non-Final Office Action dated 04/04/2006, applicant argues that Slaughter does not teach the features of claims 1, 11, 24 and 27 [p. 14, line 19 – p. 15, line 4]. Applicant proceeds to list the entire claim without specifically pointing out any particular feature that is not taught by Slaughter. Examiner respectfully disagrees and submits that Slaughter teaches all the claimed features [see rejections to the claims below]. For example, Slaughter teaches a client station [col. 17, lines 32 – 46] sending an object request to a server station [col. 17, lines 33 – 46], the object request including information for identifying a data-processing object accessible via the server station [col. 22, lines 30 – 40], the data-processing object being an element comprising at least one attribute [col. 37, lines 13 – 22] and at least one function which makes it possible to manipulate the at least one attribute [col. 52, lines 25 – 43], and the client receiving an object response sent by the server station [col. 30; lines 37 – 63], the object response including information for describing graphic elements of a graphic user interface [col. 29, lines 5 - 21], the graphic elements of the graphic user interface being associated with programmed data object functions [col. 53, lines 38 - 55], the graphic

user interface allowing a user to use the data-processing object [col. 22, line 55 - col. 23, line 13] when the graphic elements are activated by a user [col. 30, lines 36 – 62].

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1 – 4, 6, 7, 9 – 12, 14, 15, 17 – 25, 27, 28 and 31 – 33 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,973,493 to Slaughter et al. [hereinafter Slaughter, cited in the previous office action].**

5. As to claim 11, Slaughter teaches a method for executing a function on a data-processing object [XML message is sent to a service gate which invokes the actual method on the service object; col. 52, lines 25 – 42] which can be used, via a server station [server may be any platform capable of receiving and fulfilling message requests; col. 17, lines 33 – 46] connected to a communications network [col. 15, lines 40 – 52], by at least one client station [client may be any platform that can send a message using at least a subset of the API and messaging layers; col. 17, lines 32 – 46] connected to the network, comprising the following steps, implemented in the server station:

receiving an object request originating from the client station [browser user may use a search engine to find a Web page that fronts (displays the contents of) a space advertising services within the distributed computing environment; col. 30, lines 37 – 63], the object request including information for identifying a data-processing object accessible via the server station [user is able to point and click on the space Web page and, with the help of the servlet, to access services; col. 30, lines 37 – 63], the data-processing object [client may access a service object through a message gate; col. 22, lines 30 – 40] being an element comprising at least one attribute [attributes 504, Fig. 16; col. 37, lines 13 – 22] and at least one function which makes it possible to manipulate said at least one attribute [method parameters and creates a request XML message to invoke a method of the object; col. 52, lines 25 – 43];

sending an object response to the client station, the object response including information for describing graphic elements of a graphical user interface [Web pages may include scripts, for example, Java or WML scripts, which may be used in connecting the browser to the proxy servlet; col. 30, lines 37 – 63], the graphic elements [service interface may interact with the client, displaying (remotely) requests for input on the client's display; col. 29, lines 57 – 64] of the graphic user interface [service interface may be a preconstructed user interface provided to the client; col. 29, lines 5 - 21] being associated with programmed data object functions [provide a simple user interface that allows a client to enter strings (e.g. keyword for space searches), view or browse result references (e.g. space listings, or service listings within a space), select items (e.g. to choose and instantiate a service), etc; col. 53, lines 38 - 55], the graphic user interface

allowing a user to use the data-processing object [message gate may implement an API to send and receive messages; col. 22, line 55 - col. 23, line 13] when the graphic elements are activated by the user [start a service, all by pointing and clicking; col. 30, lines 36 – 62]; and

receiving a method-execution request originating from the client station [request-response message interface in which clients remotely call methods causing services to return results; col. 31, lines 35 – 52], the method-execution request comprising an object-method call in a mark-up language [Once the service interface has obtained the necessary information from the client, it may send XML messages to the service provider that runs the service; col. 29, line 63 – col. 30, line 9].

6. As to claim 12, Slaughter teaches executing at least one command received from the client station, on a data-processing object [provide a remote method invocation interface to a service; col. 30, line 63 – col. 31, line 22]; and

sending a method-execution response to the client station, the method-execution response containing data indicative of a result of the execution of the at least one command on the object [Results (which are just another content type) from service operations may be returned directly to the client in a response message; col. 19, line 47 – col. 20, line 2].

7. As to claims 14 and 15, Slaughter teaches the information for identifying the data-processing object comprises an electronic address indicative of the storage

location of the object is a URL-type address [A space is named and accessed on the network using an URI (Uniform Resource Identifier). The URI may be a URL (Uniform Resource Locator); col. 16, lines 49 – 60].

8. As to claim 18, Slaughter teaches the data-processing object is associated in the server station with an electronic document containing the information for describing the graphic elements of the graphic user interface and the associated programmed functions [user is able to point and click on the space Web page and, with the help of the servlet, to access services. The Web pages may include scripts, for example, Java or WML scripts, which may be used in connecting the browser to the proxy servlet. Scripts may also be used to send messages to the proxy servlet. The servlet agent may translate Web page actions into messages on behalf of the browser client; col. 30, lines 36 – 63].

9. As to claim 20, Slaughter teaches an electronic address indicative of the storage location of the object is an address of "URL" type associated with the electronic document [col. 16, lines 50 - 60].

10. As to claim 21, Slaughter teaches the communications network is a network of the Internet type [col. 17, line 64 – col. 18, line 13].

11. As to claim 22, Slaughter teaches the client station and the server station communicate by using a communications protocol of the "hypertext transfer protocol" (HTTP) type, and messages exchanged between the server station and the client station are HTTP messages [Messages gates may allow clients and services to exchange XML messages in a secure and reliable fashion over any suitable message transport (e.g. HTTP); col. 21, lines 43 – 57].

12. As to claim 1, Slaughter teaches a method for remotely using a data-processing object [XML message is sent to a service gate which invokes the actual method on the service object; col. 52, lines 25 – 42] accessible via a server station [server may be any platform capable of receiving and fulfilling message requests; col. 17, lines 33 – 46] connected to a communications network [col. 15, lines 40 – 52], from a client station [client may be any platform that can send a message using at least a subset of the API and messaging layers; col. 17, lines 32 – 46] connected to the network, the method comprising the following steps:

sending an object request to the server station [browser user may use a search engine to find a Web page that fronts (displays the contents of) a space advertising services within the distributed computing environment; col. 30, lines 37 – 63], the object request including information for identifying a data-processing object [service object; col. 22, lines 30 – 40] accessible via the server station [user is able to point and click on the space Web page and, with the help of the servlet, to access services; col. 30, lines 37 – 63], the data-processing object [client may access a service object through a message

gate; col. 22, lines 30 – 40] being an element comprising at least one attribute [attributes 504, Fig. 16; col. 37, lines 13 – 22] and at least one function which makes it possible to manipulate said at least one attribute [method parameters and creates a request XML message to invoke a method of the object; col. 52, lines 25 – 43];

receiving an object response sent by the server station, the object response including information for describing graphic elements of a graphic user interface [Web pages may include scripts, for example, Java or WML scripts, which may be used in connecting the browser to the proxy servlet; col. 30, lines 37 – 63], the graphic elements [service interface may interact with the client, displaying (remotely) requests for input on the client's display; col. 29, lines 57 – 64] of the graphic user interface [service interface may be a preconstructed user interface provided to the client; col. 29, lines 5 - 21] being associated with programmed data object functions [provide a simple user interface that allows a client to enter strings (e.g. keyword for space searches), view or browse result references (e.g. space listings, or service listings within a space), select items (e.g. to choose and instantiate a service), etc; col. 53, lines 38 - 55], the graphic user interface allowing a user to use the data-processing object [message gate may implement an API to send and receive messages; col. 22, line 55 - col. 23, line 13] when the graphic elements are activated by a user [start a service, all by pointing and clicking; col. 30, lines 36 – 62];

starting up the graphic user interface on the client station [a Web browser may be used on a client as the GUI for a service; col. 28, lines 21 - 41] in response to activation

of at least one graphic element by the user [user is able to point and click on the space Web page and, with the help of the servlet, to access services; col. 30, lines 37 – 63]; executing at least one function associated with at least one graphic element [col. 30, lines 36 – 63] of the graphic user interface, in response to activation of at least one graphic element by the user [provide a simple user interface that allows a client to entire strings (e.g. keyword for space searches), view or browse result references (e.g. space listings, or service listings within a space), select items (e.g. to chose and instantiate a service), etc; col. 53, lines 38 – 55 and col. 30, lines 36 – 62];

sending a method-execution request to the server station [request-response message interface in which clients remotely call methods causing services to return results; col. 31, lines 35 – 52], in response to the execution of at least one programmed function associated with the at least one graphic element of the graphic user interface activated by the user [start a service, all by pointing and clicking; col. 30, lines 36 – 62], the method-execution request comprising an object-method call in a mark-up language [Once the service interface has obtained the necessary information from the client, it may send XML messages to the service provider that runs the service; col. 29, line 63 – col. 30, line 9].

13. As to claim 2, Slaughter teaches receiving a method-execution response sent by the server station in response to the method-execution request, the method-execution response containing data indicative of a result of execution of the at least one command which can be understood by the data-processing object [Results (which are just another

content type) from service operations may be returned directly to the client in a response message; col. 19, line 47 – col. 20, line 2 and col. 22, lines 30 – 40];

decoding the data contained in the method-execution response and updating the user interface, if necessary [Result page URLs (referencing pages containing XML) may be returned directly (or translated into HTML or WAP if needed) to the browser, for display to the user; col. 30, lines 37 – 63].

14. As to claims 3 and 4, these are rejected for the same reasons as claims 14 and 15 above.

15. As to claim 6, 17 and 19, Slaughter teaches the XML language [messaging API may provide an interface for simple messages in a representation data or meta-data format, such as in the extensible Mark-up Language (XML); col. 14, line 58 - col. 15, line 15].

16. As to claims 7 and 23, Slaughter teaches implementing program functions for describing the graphic elements of the user interface in the JavaScript programming language [col. 28, lines 42 – 56].

17. As to claim 9, this is rejected for the same reasons as claim 21 above.

18. As to claim 10, this is rejected for the same reasons as claim 22 above.

19. As to claims 24 and 25, these are apparatus claims that correspond to method claims 1 and 2; note the rejection to claims 1 and 2 above, which also meet these apparatus claims.

20. As to claims 27 and 28, these are apparatus claims that correspond to method claims 11 and 12; note the rejection to claims 11 and 12 above, which also meet these apparatus claims.

21. As to claim 31, Slaughter teaches a device for browsing on the Internet (Web browser) comprising a device for remotely using a data-processing object [a Web browser may be used on a client as the GUI for a service; col. 28, lines 21 - 41].

22. As to claim 32, Slaughter teaches a client station linked to a communications network, comprising a device for remotely using a data-processing object [a method gate to provide a remote method invocation interface to a service; col. 30, line 63 – col. 31, line 22].

23. As to claim 33, Slaughter teaches a server station linked to a communications network, comprising a device for executing a function on a data-processing object [XML schema may specify a set of messages that clients of the service may send to the service to invoke functionality of the service; col. 36, line 62 – col. 37, line 13].

***Conclusion***

24. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**CONTACT INFORMATION**

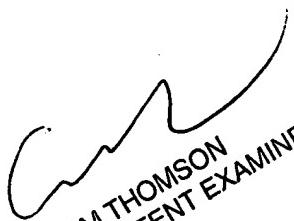
25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen  
Examiner  
Art Unit 2194

LBZ



WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

A handwritten signature of "WILLIAM THOMSON" is written above the printed title "SUPERVISORY PATENT EXAMINER". The signature is written in a cursive style.